

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

O'MARR L. BURNETT,

No. C 09-04693 SBA (PR)

Plaintiff,

V.

DEPUTY FRAYNE, et al.,

Defendants.

**ORDER DENYING RENEWED MOTION
FOR APPOINTMENT OF COUNSEL
AND GRANTING PLAINTIFF A
SECOND EXTENSION OF TIME TO
FILE OPPOSITION TO MOTION TO
DISMISS**

Before the Court are Plaintiff's renewed motion for appointment of counsel and his request for a second extension of time to file his opposition to Defendants' motion to dismiss (docket no. 33).

In an Order dated August 25, 2010, the Court denied Plaintiff's first request for appointment of counsel. For the same reasons, Plaintiff's renewed motion for appointment of counsel (docket no. 33) is DENIED.

The Court GRANTS Plaintiff's motion for a second extension of time to file his opposition to Defendants' motion to dismiss (docket no. 33). The time in which Plaintiff may file his opposition will be extended up to and including **November 30, 2010**. If Defendants wish to file a reply brief, they shall do so no later than **fifteen (15) days** after the date Plaintiff's opposition is filed.

This Order terminates Docket no. 33

IT IS SO ORDERED.

DATED: 10/27/10

Saundra B Armstrong
SAUNDRA B. ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

5 OMARR L. BURNETT,

6 Plaintiff,

7 v.

8 FRAYNE et al,

9 Defendant.

Case Number: CV09-04693 SBA

CERTIFICATE OF SERVICE

10
11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

12 That on October 27, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

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16
17 O'Marr L. Burnett F-26842
18 Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960-1050

19 Dated: October 27, 2010

20 Richard W. Wiking, Clerk
By: LISA R CLARK, Deputy Clerk

United States District Court
For the Northern District of California

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